

REMARKS/ARGUMENTS

Claims 1-27 were in the application as originally filed. In the Office Action, the Examiner has rejected Claims 1-16, 21, 22, and 25 under 35 U.S.C. § 112, second paragraph, and/or 35 U.S.C. §§ 102 and 103, based on the following patent references: Pinto, U.S. Patent No. 2, 597,670; Copeland, U.S. Patent No. 5,008,793; and Pennell, U.S. Patent No. 3,991,445. The Examiner has indicated that Claims 3-6, 9-11, 15 and 16 would be allowable if rewritten to overcome the rejections under § 112, second paragraph, and to include limitations of the base claim and any intervening claims. The Examiner has also indicated that Claims 17-20, 23, 24, 26 and 27 would be allowable if rewritten in independent form, including all limitations of the base claim and any intervening claims. The Examiner has also made objections to the drawings and the specifications. Applicants respectfully traverse the objections and rejections, based on the amendments to the drawings, specifications, and claims, and the following remarks.

The Examiner has first objected to the drawings as failing to comply with 37 C.F.R. § 1.84(p)(5). Certain reference signs were missing or otherwise incorrect. Applicant has enclosed the following drawings: Fig. 2A; Fig. 6; Fig. 7A; and Fig. 7B. Proposed drawing corrections in accordance with the Examiner's statements are shown in "red ink" in these drawings. Applicants respectfully request approval of these proposed changes, and withdrawal of the objection. With respect to the absence of any Fig. 10 in the drawings, the specification on line 10 of page 16 has been amended.

The Examiner has also objected to the disclosure based on certain informalities with respect to language within the specification. Applicants have included, with this Response and remarks, proposed amendments to the specification. Applicants respectfully submit that with these amendments, the specification is now in conformance with all requirements. Accordingly, Applicants respectfully request that the objection to the disclosure be withdrawn.

Applicants respectfully traverse the rejection of Claims 1-12, 15 and 16 under 35 U.S.C. § 112, second paragraph, as being indefinite.

Claim 1 has been amended to remove the limitation "said interconnected segments." Claim 6 has been similarly amended. Claim 15 has been canceled. With these amendments and cancellation of Claim 15, Applicants respectfully submit that all of the claims are now in conformance with all requirements of § 112, including those of the second paragraph.

Applicants respectfully traverse the rejection of Claims 1 and 13 under 35 U.S.C. § 102(b) as being anticipated by Pinto.

Pinto describes a telephone switch hook actuator. The actuator attachment includes an arm having a base and a mounting arrangement for mounting the base to a mounting structure. Arm segments are also included.

With respect to Claim 1, Claim 1 has been amended so as to substantially incorporate the subject matter of originally filed Claims 2 and 3. Claim 3 has been incorporated within amended Claim 1 in its entirety. In the Office Action, the Examiner indicated that Claim 3 would be allowable if rewritten so as to overcome the rejections under § 112 second paragraph. Claim 3 was dependent from Claim 2, which was dependent from Claim 1. With Claim 1 now incorporating the subject matter of Claims 2 and 3, Applicants respectfully submit that Claim 1 as amended is not anticipated by Pinto.

With respect to Claim 13, Claim 13 has now been amended so as to substantially incorporate the subject matter of originally filed Claims 14 and 15. Claim 15 has been canceled. The Examiner had previously indicated that Claim 15 would be allowable, if rewritten so as to overcome the rejections under § 112, and to include all limitations of the base claim (i.e., Claim 13) and any intervening claims (i.e., Claim 14). In view of Claim 13 now incorporating the subject matter of Claim 15, Applicants respectfully submit that Claim 13, as amended, is not anticipated by Pinto.

Applicants respectfully traverse the rejection of Claims 1, 2, 12-14, 21 and 22 under 35 U.S.C. § 102(b) as being anticipated by Copeland. Copeland is directed to a guidable arm for free-positioning lamps. The Examiner has stated that Copeland discloses a support arm with a base having a mounting means, and arm segments.

As previously described, Claim 1 has been amended so as to incorporate the subject matter of originally filed Claims 2 and 3. The Examiner had indicated that Claim 3 would be allowable if rewritten in independent form. For the foregoing reasons, Applicants respectfully submit that Claim 1 is not anticipated by Copeland.

Claims 2 and 12 are directly dependent from Claim 1, and incorporate all limitations thereof. For the reasons that Claim 1 is patentable over Copeland, Claims 2 and 12 are also patentable over Copeland.

With respect to Claim 13, and as previously stated herein, Claim 13 has been amended so as to incorporate the subject matter of Claim 15. The Examiner has indicated that Claim 15 would be allowable, if rewritten in independent form. Accordingly, Applicants respectfully submit that Claim 13, as amended, is not anticipated by Copeland. Claim 14 is directly dependent from Claim 13, and incorporates all limitations thereof. For the reasons that Claim 13 is not anticipated by Copeland, Claim 14 is not anticipated by Copeland. Further, Claim 21 is directly dependent from Claim 13. Accordingly, Applicants respectfully submit that Claim 21 is not anticipated by Copeland.

With respect to Claim 22, Claim 22 has been amended so as to incorporate all of the limitations of Claim 23. The Examiner has indicated that Claim 23 would be allowable, if rewritten in independent form. Accordingly, Applicants respectfully submit that Claim 22, as amended, (i.e., incorporating the subject matter of originally filed Claim 23) is not anticipated by Copeland.

Applicants respectfully traverse the rejection of Claims 7, 8 and 25 under 35 U.S.C. § 103(a) as being unpatentable over Pinto in view of Pennell.

First, Applicants respectfully traverse the alleged combination of Pinto and Pennell. Pinto is directed to a telephone switch hook actuator. In contrast, Pennell is directed to a locking cable for securing objects such as bicycles. Applicants respectfully submit that neither Pinto nor Pennell are within the scope of the prior art applicable to Applicants' invention. Further, Applicants respectfully submit that Pinto does not teach or suggest the possibility of modifying Pinto so as to incorporate any flexible tube technology taught by Pennell. For these and other reasons, Applicants respectfully submit that Pinto and Pennell cannot be tenably combined.

Assuming, arguendo, that Pinto and Pennell can be tenably combined, the resultant of combination still does not teach or suggest Applicants' invention as defined in Claims 7, 8 or 25.

Claim 7 is directly dependent from Claim 1, as amended. Claim 1, as amended, incorporates subject matter which the Examiner considered allowable. Accordingly, Applicants respectfully submit that Claim 7, as amended, is neither taught nor suggested by Pinto, either standing alone or in combination with Pennell.

Claim 8 is directly dependent from Claim 7. For the reasons that Claim 7 is patentable over the alleged combination of Pinto and Pennell, Claim 8 is also patentable over the alleged combination.

With respect to Claim 25, Claim 25 has been amended so as to incorporate the subject matter of Claim 26. The Examiner has indicated that Claim 26 would be allowable, if rewritten in independent form. With the amendment to Claim 25, whereby the subject matter of Claim 26 is incorporated therein, Applicants respectfully submit that Claim 25 is patentable over the alleged combination of Pinto and Pennell.

Applicants have added new Claims 28-32.

New Claim 28 incorporates the subject matter of originally filed Claim 1, and further defines core as a referenced in Claim 7. In Claim 28, the core is also defined as having an absence of memory, so that the same will return to its original position after flexure.

Claim 29 is a new independent claim, substantially incorporating the subject matter of originally filed Claims 13, 14 and 17. Originally filed Claim 17 was dependent from Claim 14, which was dependent from Claim 13. In the Office Action, the Examiner indicated that originally filed Claim 17 would be allowable if rewritten in independent form. Applicants respectfully submit that Claim 29 substantially corresponds to the combined subject matter of originally filed Claims 13, 14, and 17.

Each of Claims 30, 31 and 32 is directly dependent from Claim 29, and incorporates all limitations thereof. Further, the subject matter of Claims 30, 31 and 32 substantially corresponds to the subject matter of originally filed Claims 18, 19 and 20, respectively. Applicants respectfully submit that these claims are patentable over Pinto, Copeland and Pennell, taken either singularly or in combination.

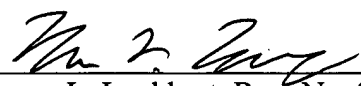
The Examiner has also cited certain prior art as being made of record, but not relied upon. Applicants respectfully submit that the teachings of these patent references, taken either singularly or in combination, do not teach or suggest Applicants' invention as defined in the claims as amended.

Applicants have responded to all of the Examiner's objections and rejections, and amended the drawings, specification and claims so as to overcome the same. Accordingly, Applicants respectfully submit that all of the remaining claims are now in condition for allowance, and early notification of allowability is respectfully requested. Should any questions arise in connection with the above, please contact Thomas L. Lockhart at the telephone number of (616) 336-6000.

Respectfully submitted,

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